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rch person Phone:		TUE ALL PARTS ARE NEW U	NLESS OTHERWISED IN	DICATED.	лапту, core čharge	or otherwise specified.
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NITITI FO TO A WRITTEN ESTIM	ATE, IF	The state of Florida re	quires a \$1.00 fee to ted for each new or re	rts.  */ASTE DISPOSAL CHA miscellaneous shop suppled collected for each new manufactured battery so	id in the state (s.	403.71851.
INAL BILL WILLEXCEED \$100.00.	A TE	DIAGNOSTIC WORK/	PARTIALLY COMPLET	ED REPARS: In the event of repairs, but do not	int that you auti authorize complet a completed wo	don of a repair of servicers. The vehicle shall
I REQUEST A WRITTEN ESTIMA	AIE. EN ESTIM	A TE reassembled to a co	posed for disassembly secondition reasonably second be upsele. Any	, reassambly or partial niliar as when received charges will be directly	related to the a	horize diagnostic work tion of a repair of servic risk. The vehicle shall valve reassembly or t actual amount of labor
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DO NOT REQUEST A WRITTEN	I ESTIMA	materials I further some	that the Dealer Is an	described repair work and he repairs, unless the Deal cknowledged on the above	S VEHICLE TO SECUR	DINE SHEGOT TO TROD BITS BING
SIGNED.		by the supplier or transport	rter. I hereby grant the D	ealer permission to operate	Pused by unavailai the vahicle on sti	bility of parts or shipping
CAP @2006 ADP (05/06)	ATE:	CUSTOMER SIGNATURE X	enicle or articles left in t	he vehicle in case of fire,	hatt or any other	cause beyond its control.

# **CHEVROLET OF DELRAY**

## We are a Complete Full Service

WORKORDER

HERIF KODSY REPRINT 5068 LAUREL OAK CIRCLE PAGE 2 LAY BEACH, FL 33484

USTOMER #: 4754077

Parts & Service Tacility

1111 LINTON BLVD. DELRAY BEACH, FLORIDA 33444
PHONE: (561) 454-3900 TOLL FREE 800-929-5213
REGISTRATION NO. MV-33283
PARTS & SERVICE HOURS:

DME:561	737-8	998	CONT:56	1-737	~8998			4	MON-FRI 74		V · SAT: 8AM www.maroone		9AM-5PM
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RORAL	APPR(	DVAL	-•				I hereby author	rize the Dealer to enals, in Cash up	perform the above	-describe	d repair work and agre to unless the Dealer ag	e to pay for the repa	ers, along with the
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IGNED:		A.			D 4 TC		poss or or cam	the purpose of to age to the vehicl	esting end/or inspe or articles left in	cting the	mission to operate the vehicle. I acknowledg le in case of fire, thefi	Ot BUA OTHER CHITED	beyond its control
AP @2006 ADP 105	08)			· · · · ·	DATE:		CUSTOMER SIGNATURE		<u> </u>			- G-,	A September 1

2 Pg 4 of 39

1 of 8

# PRODUCT ALLEGATION RESOLUTION PRELIMINARY INSPECTION STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

**Sherif Kodsy** 

Inspection Date:

1/21/2009

Vehicle Brand:

2008 Hummer 71-693377188 Model: VIN: H2 5GRGN23878H107652

Mileage at Inspection: 10,808

File#

Inspection Location: Schumacher Buick Hummer West Palm Bch, FL 33409

Inspector's phone number: 954-749-3637

Inspected By: Jim Daugherty EAA

Section 1	INSP	ECTION SUMMAR	Υ
BRIEFLY Describe to	ne customer's ALLEG	SATION below:	
Owner stated that th	e vehicle ride was jet	rky and rough. He	also stated that the engine did not idle smoothly.
inspected the vehicl to wheels or tires. N did not appear to ric stock with identical vehicle. Engine idle	e undercarriage and one was noted. Road le improperly for this engine, tires, and wh	tires and wheels. ( I tested vehicle for type of chassis ar eel combination. F h only a slight qui	tions: (Additional cmts may be 33409placed in section 9) Checked tires pressure for over inflation and damage several miles with the dealer service director. Vehicle and tire combination. Selected another vehicle form Road test indicated that ride was similar to owner's ver in the tachometer needle as the fuel injection madeled similarly.
		<del> </del>	
Section 2	INT	FRVIEW - INCIDE	NT DETAILS
Section 2		ERVIEW - INCIDE	
	INT ormation for this sect		
Obtain all of the infe	ormation for this sect	ion from the Drive	
Obtain all of the info Provide a complete Interview mode:	ormation for this sect  description of the in	ion from the Drive	er/Claimant
Obtain all of the info	description of the in  By Telephone	ion from the Drive	o the DRIVER / CLAIMANT
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Obtain all of the info  Provide a complete  Interview mode:	description of the inc  By Telephone 1/21/2009	tion from the Drive cident according to X In Person	o the DRIVER / CLAIMANT Incident Date and Time: Not applicable
Obtain all of the info  Provide a complete  Interview mode:	description of the inc  By Telephone 1/21/2009	cident according to X In Person  in (include name, ge	Incident Date and Time: Not applicable  Inder, height, weight, & disabilities ):
Obtain all of the info  Provide a complete  Interview mode:	By Telephone 1/21/2009 ad.  t's physical description all, 190lbs, DOB 4/27 ion:	cident according to X In Person  (include name, general policy of the control of	Incident Date and Time: Not applicable  Inder, height, weight, & disabilities ):
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What was the exact location of the incident. N/A Driving conditions at the time of the incident: Confidential GM/PAR

Rev 04-19-2004

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Rev 04-19-2004

# PRODUCT ALLEGATION RESOLUTION

PRELIMINARY INSPECTION

STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Confidential GM/PAR

Sherif Kodsv

Inspection Date:

1/21/2009

Vehicle	Brand: 2008 Hun File # 71-69337		Model: VIN:	H2 5GRGN23878H107652
Posted Speed Lin	Dry [ b : Concrete [ condition: Dry [ nit {	Asphalt Gravel Wet Icy Asphalt Gravel Wet Icy	☐ Crushed rock ☐ Dirt☐ Other: {☐ Dirt☐ Di	
Estima (Do No	Estimate of vehicle speted at import speed at import speed information.	ed: {mph Sour pact: {mph Sour ation from the Vetr the vehicle operati	ce of est. { onix data here)	e incident does not include the
Steering Suspension Brakes Engine Electrical	Normal X Normal \( \bigcup \) Normal X Normal \( \bigcup \) Normal X	Other X Des	cribe Idles rough and to	r firm ach needle drops to 0
the details and	describe the event(s).	or driver informat	ion center messages dis	played? ☐ Yes X No If "Yes", get
details and des Also, determin	scribe the event(s). Ope	rated this was since by warning lights illu	new	ver information panel, unusual noises,
Describe any e		ming Brakin	g Accelerating	Other:
	o (in the vehicle interior, sight of cargo: {		(if any):_None noted led weight of the trailer, if any. {_	
If a trailer was	being towed, photograp	h the hitch structure	e, both on the trailer and to	wing vehicle.
Object	e leave the roadway?: [_ ts Impacted: [			
Section 3		INTERVIEW - VE	HICLE HISTORY	
Source of info	rmation (name, address	phone number, & r	relationship), if other than o	plaimant:

## PRODUCT ALLEGATION RESOLUTION

PRELIMINARY INSPECTION

STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Sherif Kodsy

Inspection Date:

1/21/2009

Vehicle Brand:

2008 Hummer

Model:

H2

File# 71-693377188

VIN:

5GRGN23878H107652

Comments: (Additional cmts may be placed in section 9)  Dealer service director stated that they had recently replaced three of the vehicle tires and installed the spare a fourth tire to try to satisfy the owner. No appreciable change was seen in the vehicle ride.	as
Didithe owner purchase the vehicle new? X Yes No Date 6/11/2008 Used? Yes No Date	
<u>VEHICLE MODIFICATIONS / ALTERATIONS</u> Are any vehicle modifications or alterations present, and has any after-market equipment been installed?  (e.g., objects attached to the steering wheel or instrument panel, controls for disabled persons, shock absorbers, spring modified body, electrical components, powertrain, wheels or tires, after-market seats, etc) <u>Describe:</u> None noted  [	}s, 
VEHICLE REPAIR / SERVICE HISTORY	
Prior electrical system service? X No Yes If yes, describe:	
Prior collision repair? X No Yes If yes, describe:	<u> </u>
Repaired by whom? (name, address, phone) {	<del></del>
3 new tires Prior electrical system components serviced, repaired, or replaced by whom? ( name, address, phone number)  { Any other pertinent vehicle history information (from interview, GM warranty or dealership history files)? X No Yes If yes, describe: {	
Section 4 VEHICLE INSPECTION – VISUAL/PHOTO	
THE VEHICLE VISUAL INSPECTION DOCUMENTS THE PHYSICAL EVIDENCE USING PHOTOS AND WRITTEN OBSERVATIONS. RECORD YOUR OBSERVATIONS IN THE APPROPRIATE SECTION. PHOTOGRAPH THE EXTERIOR OF THE VEHICLE AS FOLLOWS: VIN PLATE, QUARTER VIEWS FROM LEFT FRONT, RIGHT REAR ARE REQUIRED, AND DOCUMENT FURTHER EXTERIOR DAMAGE WITH MANY PHOTOS.	•
DESCRIBE ANY DAMAGE TO THE VEHICLE BODY: None	
<u>UNDERBODY / FRAME / CHASSIS AREA:</u> Describe <u>any damage</u> to the underside of the vehicle. Note the condition of the bumpers, frame, suspension, tires, wheels, brake and fuel lines & engine mount(s)/crossmember. Photograph and comment on an contact between vehicle components and the underbody. Photograph if damage is present.  None	1



Struts/shocks
Springs
Control arms

Ball joints Steering knuckles Axle assemblies Tire/wheel assemblies

# PRODUCT ALLEGATION RESOLUTION PRELIMINARY INSPECTION

STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Sherif Kodsy

Inspection Date:

1/21/2009

Vehicle Brand:

2008 Hummer

Model:

H2

File # 71-693377188

5GRGN23878H107652

<u> </u>	<u> </u>
UNDERHOOD  Engine compartment Brake fluid level and condition  Comments: None noted	Power steering lines, hoses, clamps and connections Power steering fluid level and condition
GENERAL OBSERVATIONS  Photograph and comment on any afterm out of place.  Comments:  None noted  {	narket equipment found, vehicle modifications or items that are unusual or
<u> </u>	
Section 5 VEHICLE INSPI	ECTION - PASSENGER COMPARTMENT
INTERIOR Instrument panel Controls Overall view of seat position Photo of options label-glove box/trunk Personal items/cargo	Odometer Steering wheel and column Driver and passenger seat back angle (inclinometer measurement) Sunvisors and headliner
INTERIOR INSPECTION (Describe any damage None	e and photograph )

Section 6	STEERING, SUSPENSION, TIRE AND WHEEL SYSTEM INSP	ECTION

Use the following table to identify what you did and what you found during the inspection. Identify the tests and test results for the applicable items. Describe anything relevant to the allegation that is not in normal working condition, does not function properly or is a non production part. Take appropriate photographs.

Confidential GM/PAR

# PRODUCT ALLEGATION RESOLUTION PRELIMINARY INSPECTION

STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Sherif Kodsy

inspection Date:

1/21/2009

Vehicle Brand: File #

2008 Hummer 71-693377188 Model:

H2

VIN:

5GRGN23878H107652

Γ	ITEM	OBSERVATIONS/TEST RESULTS
J.,	Steering system-Are all	Normal appearance and operation
	components in place and	mornial appearance and operation
	connected in a normal manner?	
	Can the steering wheel be	
İ	rotated lock to lock with	
۱	appropriate movement of the	
	front wheels. Is there any	
	binding, sticking or uneven feel?	
Γ	Steering linkage-Is the linkage	Normal appearance and operation
-	free from cracks, bends,	•
	fractures, etc. Are there any	
١	scrapes, abrasions, signs of	
	contact with any of the linkage?	
1	Gear/rack and pinion-Any sign	Normal appearance
1	of leakage, damage to boots on	,
	the rack, contact by foreign	
ļ	objects?	
-	Steering column, ignition switch,	Normal operation
A	intermediate shaft. Does the	
ý	column unlock with the ignition	
-	key "on"? Is the steering column	
ŀ	properly fastened to the dash?	
- 1	Steering pump, drive, hoses,	Belt tight - Normal operation
- 1	connections, flow, pressure. If	
ı	possible, start the engine and	
- 1	rotate the steering wheel lock to	
- 1	lock. Is power assist normal? If not, it may be necessary to	
1	check pressure and flow	
ł	PS fluid level and condition-	Reservoir full – fluid clear – no odor-
	Color, contamination, odor	Kezervon inn – naid clear – no odot-
ł	Steering knuckle-All	Normal appearance
- 1	attachments secure and	inorma: appearance
	proper?	
1	Suspension components – LF	Normal appearance
	Strut attachments, springs	same and
	intact; control arms properly	
1	attached, deformed, broken,	
ļ	scraped, etc. Sway bars	
J	properly attached.	
I	Strut attachments, springs	Normal appearance
- [	intact; control arms properly	
- 1	attached, deformed, broken,	
1	scraped, etc. RF	
1	Strut attachments, springs	Normal appearance
7	intact; control arms properly	
	attached, deformed, broken,	
١	scraped, etc Rear sway bars,	



Confidential GM/PAR

# PRODUCT ALLEGATION RESOLUTION

PRELIMINARY INSPECTION
STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Sherif Kodsy

Inspection Date:

1/21/2009

Vehicle Brand:

2008 Hummer

Model:

H2

File#

71-693377188

VIN:

5GRGN23878H107652

	railing arms properly attached	
L	and undamaged. LR	
ı	Strut attachments, springs	Normal appearance
	intact; control arms properly	
1	attached, deformed, broken,	
١	scraped, etc. RR	
Γ	Rear axle assembly-deformed,	No damage noted
1	signs of impact, properly	·
۱	located, etc.	
T	Deformation to the frame	No damage noted
Γ	Describe and photograph	None noted
١	evidence of axle/ suspension/	
Į	tire contact with frame, body or	
1	components	
Ī	Describe and photograph	None noted
ı	contact of the under- carriage	
1	with the road surface (road,	
	shoulder, curb, or grass)	
Ì	Stability Enhancement	None stored
à	system/components-check for	
\$	codes with Tech II	
-	Engine (normal, other)-Obtain	Normal operation – no codes stored
	codes using a Tech II.	
ı	Electrical (normal, other)	Normal operation
	Warning lights/messages	None
	displayed? Describe and obtain	
	codes using a Tech II	
	Anything components missing?	None noted
	Other	
	<del></del>	

If the vehicle is driveable, conduct a road test to evaluate the concern expressed by the customer. Describe the results of the road test. If the concern is observed during the road test, it would be desirable to get a Tech II "snapshot".

#### See previous comments

If the vehicle is equipped with an ABS/Traction Control/Stability Enhancement System, use a Tech II to obtain any codes stored as current and/or history. Document via photos and include the code description. Follow the procedures in the service manual to determine the cause of each stored code which relates to the allegation. State which procedures were followed, record results of each test and state the root cause of each code. Consult with the CRM or Team Manager of the PAR group if this process leads to a disassembly of components. Follow the procedure in the General Guidelines for parts that need to be assembled for evaluation.

Inspect the system wiring, connections and components for damage. Note if the damage was the result of the incident.



#### TIRE AND WHEEL INSPECTION

# PRODUCT ALLEGATION RESOLUTION PRELIMINARY INSPECTION STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS

Customer's Name:

Sherif Kodsy

Inspection Date:

1/21/2009

Vehicle Brand:

2008 Hummer

Model:

H2

File#

71-693377488

VIN:

5GRGN23878H107652

#### 1. IDENTIFICATION:

					AVE. TREAD	DOT
	TIRE BRAND	TIRE TYPE	TIRE SIZE	PRESSURE	DEPTH	Numbers
	(Goodyear)	(Eagle GA)	(P205/70R15)	(psi)	32nds of inch	
LF	BF	All	315/70	44	<u>17</u>	
	Goodrich	<u>Terrian</u>	<u>R17</u>			
RF	. 19	39	79	44		*************
LR	33	73	77 	44	17	
RR	7)	-,,	## 	44	15	

Note: DOT numbers may be found on the inside of each tire adjacent to the rim.



Describe and photograph any damage to tires and wheels, such as scrapes, marks due to impact, cuts, tread separation, flat spots, bead separation, embedded grass/dirt, etc. Photographs should include inner and outer views of the damaged tire/wheel assemblies with chalk marks on each assembly to denote position on vehicle (RF, LF, RR and LR).

LH			
None			
RF			
None			
LR			
None			
RR .			
<u>None</u>	·		
2. TIRE PLACAR	ነር ርገልፒል፦		
		lriver's door edge or inside	the decklid)
record are real	SIZE	PRESSURE (psi)	PRESSURE AT MAXIMUM LOAD(psi)
TIRES	315/70 R 17	45	
HINES	313/10/1/17		<del></del>
SPARE TIRE	Not recorded		
			<del></del>
•			
Section 7		SITE INSPECTION	

### SITE INSPECTION - PERFORM THE FOLLOWING IF ADDITIONAL INFORMATION MAY BE FOUND:

Check the incident scene for tire marks, gouges in the pavement, debris, or any other marks. Measure location and photograph.



5GRGN23878H107652

#### PRODUCT ALLEGATION RESOLUTION PRELIMINARY INSPECTION STEERING, SUSPENSION, AXLE, TIRE AND WHEEL SYSTEMS 1/21/2009 Inspection Date: **Sherif Kodsy** H<sub>2</sub> Model: 2008 Hummer

high left the road prior to, during, or after the incident. Document all locations,

VIN:

	Identify evidence of whether the vehicle left the road prior to, during, or after the indext. Boson speed limit signs distances, stationary objects (guard rails, telephone poles, fences, buildings, etc.), nearest posted speed limit signs in the direction of travel, etc
<b>&gt;</b>	Identify evidence & photograph any object struck by the vehicle on or off the road prior to, during or after incident.
-	Inspect roadway & shoulder surfaces in the area of the incident site for telltale signs of loss of control, excessive speed, severe braking, etc.
Photog	graph the scene and property if involved.
Comm	
ſ	
Onetic	COMMENT OVERFLOW
Sectio	
Pleas area t	e use this page if needed for additional comments from the inspection form. Please note the section and he comments are continued from prior to each comment.
Pleas area t	e use this page if needed for additional comments from the inspection form. Please note the section and the comments are continued from prior to each comment.
Pleas area t	e use this page if needed for additional comments from the inspection form. Please note the section and the comments are continued from prior to each comment.



Rev 04-19-2004

Customer's Name:

Vehicle Brand:

File#

71-693377188



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### Noise and Vibration **Control Measures in the Powertrain of Passenger** Cars

**Document Number: 911053** 

Date Published: May 1991

#### Author(s):

Peter Schwibinger - Freudenberg-NOK

David Hendrick - Freudenberg-NOK Wei Wu - Freudenberg-NOK Yasuhiro Imanishi - Freudenberg-NOK

#### **Abstract:**

The paper describes a theoretical and experimental approach to solve vibration and noise problems in the powertrain with vibration control products on an elastomer basis.

Crankshaft dampers can reduce the torsional, and, if properly tuned and designed-also the bending vibrations. The paper compares the crankshaft vibrations for different damper designs which shows the potential for further vibration and noise reductions.

Shafts in the drivetrain are excited to torsional and bending vibrations by the inertia and gas forces of the engine, cardan joints and gear mesh. For the following two problems vibrations and noise are investigated: 1) a torsional resonance of a driveshaft; and 2) a bending resonance of a halfshaft.

Measurements show that noise and vibrations from the drivetrain can also be reduced significantly with tuned elastomer dampers.

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## A New Method for Engine Design Using Dynamic Optimization and Substructure Synthesis Method

**Document Number: 911065** 

Date Published: May 1991

#### Author(s):

Masanori Ishikawa - Isuzu Motors Ltd.
Mitsuo Iwahara - Isuzu Advanced
Engineering Center, Ltd.
Akio Nagamatsu - Tokyo Institute of
Technology

#### Abstract:

This paper describes a new method for engine design using dynamic optimization and substructure synthesis method. A very important theme in engine design is how to shift the peak of the natural frequency of the vibration mode that causes some noise and vibration problems. This must be resolved by effective modification of structural design.

In order to carry out effectively vibration analysis of a large scaled structure like engine assembly and conduct dynamic optimization with many iterative calculations, we have used substructure synthesis method that devides a whole structure into a number of substructures and solves each substructure.

Vibration analysis of engine assembly (cylinder block, crankshaft, bearing caps and flywheel systems) was carried out by using this substructure synthesis method. And, on the basis of the sensitivity of eigenvalue of the residual structure that is to be modified (cylinder block and bearing caps this time), the optimization program using pseudo least square method has been successfully applied to shift the peak of a given natural frequency to a designated frequency range.

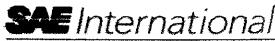
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## A Development Process to Improve Vehicle Sound Quality

**Document Number: 911079** 

Date Published: May 1991

#### Author(s):

Robert S. Thomas - Ford Motor Co. Paul J. Stanecki - Ford Motor Co. H. Peter Creutz - Ford Motor Co.

#### Abstract:

Vehicle sound quality has become an important basic performance requirement. Traditionally, automobile noise studies were focused on quietness. It is now necessary for the automobile to be more than quiet. The sound must be pleasing.

This paper describes a development process to improve both vehicle noise level and sound quality. Formal experimental design techniques were utilized to quantify various hardware effects. A-weighted sound pressure level, speech intelligibility, and composite rating of preference were the three descriptors used to characterize the vehicle's sound quality. Engineering knowledge augmented with graphical and statistical techniques were utilized during data analysis.

The individual component contributions to each of the sound quality descriptors were also quantified in this study. This paper discusses the importance of measurement studies to ensure desired experimental precision, the use of regression analysis to overcome the effect of engine rpm during experimentation, and normal probability plots as an initial empirical model building technique

File Size: 460K

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# EXERPTS, from trial transcript, direct questioning of defendants' corporate agent, mr. Tom Thornton.

- 3 Q But you don't actually do any mechanical
- 4 work?
- 5 A I am not a mechanic, no.
- 6 Q What about those tires on that vehicle, do
- 7 you know what kind of tires they are?
- 8 A BF Goodrich All Terrain T/A's.
- 9 Q What does that mean?
- 10 A The brand is BF Goodrich. The model is
- 11 All Terrain T/A.
- 12 Q So they're not off road tires?
- 13 A Actually they're a street legal, all
- 14 terrain tire. As a matter of fact, I do have some
- 15 experience with those tires in my own personal
- 16 background using them in off road applications.
- They are designed to be used off road.

- 18 They have an aggressive tread, very deep tread. The
- 19 lugs are spaced far enough apart to allow dirt,
- 20 debris, sand, water to pass through the tread so
- 21 that the vehicle can maintain traction in off road
- 22 conditions. They're an aggressive tire.
- 23 Q But they're street legal tires, they're
- 24 made for on road?
- 25 A They are street legal tires.

- 1 Q The truck is a street legal vehicle, it's
- 2 not an off road vehicle unless you take it off road,
- 3 correct?
- 4 A The truck is designed to be used on and
- 5 off road. It's designed with off road capabilities.
- 6 Q I'm saying in this city, there is no off
- 7 road driving. So, when that truck is driven in the
- 8 city, it is not to be driven off roads, it's to be
- 9 driven on pavement, a flat road, correct?

- 10 A The use of the vehicle is up to the
- 11 driver.
- 12 Q You've got to drive in the city, you're
- 13 driving on a flat road, there is no dirt roads that
- 14 you're going to drive on, correct?
- 15 A Honestly, that depends on the city.
- 16 Q Okay. My point is, if those tires are off
- 17 road tires and you're driving in the city, is it
- 18 supposed to have that off road feeling when you're
- 19 driving in the city?
- 20 A The tires are stiff, aggressive off road
- 21 tires. They will feel stiffer than a comparable
- 22 street application.
- Q Is it true that BF Goodrich stopped making
- 24 those tires?
- 25 A That is not true.
- 0150
- 1 Q Well, they did.

- Wasn't this your statement saying the
- 3 Hummer brand is targeted towards the outdoor
- 4 enthusiast, it's an off road vehicle?
- 5 A That's correct.
- 6 Q What about on road, isn't it meant to be
- 7 on road as well?
- 8 A As I already answered, it is a street
- 9 legal vehicle.
- 10 Q But it's not supposed to feel like it is
- 11 on road as it is off road, it's supposed to cushion
- 12 the off road to feel like it's on road, and when you
- 13 drive the on road, it's supposed to feel like a
- 14 normal vehicle?
- 15 A I believe that's your speculation.
- 16 Q Okay. So you're saying those tires are
- 17 all terrain?
- 18 A Correct.
- 19 Q They're supposed to be what, a smoother

- 20 ride 'cause they're all terrain?
- 21 A The design of those tires is for traction.
- 22 The ride is going to be a subjective feel by the
- 23 driver.
- 24 Q Subjective feel by the driver.
- 25 Don't you have standards?
- 0151
- 1 A Of course we have standards.
- 2 Q What's your standard on that?
- 3 A With respect to which dimension?
- 4 Q The subjective feel of the driver, what's
- 5 that mean?
- 6 A Mr. Kodsy, you're asking for how the tires
- 7 are supposed to drive on pavement.
- 8 Q Right.
- 9 A They're designed to be an all terrain
- 10 tire.
- 11 Q What's the specs on them?

- 12 A Your experience with all terrain tires --
- 13 they're much different than a street oriented tire.
- 14 These tires are designed to be stiff, heavy,
- 15 aggressive tires.
- 16 Q So, they're stiff and aggressive?
- 17 A They're a not a road tire you would find
- 18 on a passenger car.
- 19 Q Okay. They're stiff and aggressive tires?
- 20 A By design.
- 21 Q By design, okay.
- 22 And whose fault is that?
- 23 A I don't think it's anything I assign fault
- 24 for. It's design. It's intentional.
- 25 Q It's intentional?
- 0152
- 1 A For an aggressive tire.
- Q Okay. And you're supposed to feel those
- 3 tires when you drive?

- 4 A Can you express your question a little
- 5 differently? I'm not sure I understand what you're
- 6 asking.
- 7 Q Okay. I mean, you're telling me it's a
- 8 stiff and aggressive ride -- or aggressive tire.
- 9 So, how is that supposed to feel when you drive?
- 10 You're supposed to feel it?
- 11 A I'm going to answer what I think you're
- 12 asking. The Hummer H2 is a very large, very heavy
- 13 truck. The BF Goodrich All Terrain T/A's are very
- 14 large, very heavy, all terrain tires. It is not
- 15 going to ride smoothly on the road like a passenger
- 16 car will. It's going to ride as it's designed, like
- 17 a heavy, off road capable, powerful truck.
- 18 Q Off road capable, powerful truck, okay.
- 19 Isn't it supposed to be compared to the
- 20 Escalade with a 6.2 liter engine, 393 horsepower?
- You got the Escalade with the same engine

- 22 qualities, same everything, and you're telling me
- 23 that this truck's supposed to be different?
- A It's actually a poor comparison because
- 25 the two vehicles are radically different. The

- 1 Escalade is designed for on road comfort. It's not
- 2 an off road vehicle. The Escalade has street
- 3 oriented tires and a completely different drive
- 4 train from what the Hummer H2 has. The frame is
- 5 different, the suspension is different. The entire
- 6 ride of the vehicle is designed completely
- 7 different.
- 8 Q So it's supposed to be better?
- 9 A It has a different purpose.
- 10 Q You're not just saying that, right?
- 11 THE COURT: Sir, you have to ask an actual
- 12 question.
- 13 BY MR. KODSY:

- 14 Q Well, you're telling me that the Hummer's
- 15 supposed to have a heavier, more supported
- 16 suspension than an Escalade so it wouldn't have a
- 17 rail shake, correct?
- 18 A I wouldn't -- I wouldn't go that direction
- 19 with it. The way I would describe the difference in
- 20 the suspension between an Escalade and a Hummer --
- 21 first of all, we're looking at apples and oranges.
- 22 The Escalade, other than size, is a street truck.
- 23 It's a street vehicle. It's designed to be a luxury
- 24 vehicle. The suspension is tuned for a street
- 25 application.

- 1 The Hummer is intended to be an off road
- 2 capable vehicle. The suspension is tuned for an off
- 3 road application by design.
- 4 Q Off road capable, I understand. That
- 5 means when you take it off road, it's capable. But

- 6 on road is what I don't understand.
- 7 You're telling me on road -- you're
- 8 telling everybody here that on road this truck is
- 9 aggressive and it's got a stiff ride. So, that
- 10 just -- it doesn't explain it to me, it just causes
- 11 a lot of doubt.
- 12 THE COURT: You have to have a ask
- 13 question. It's strictly question and answer.
- 14 BY MR. KODSY:
- Q So, you're saying this truck's supposed to
- 16 drive like a beast?
- 17 A The truck is kind of a beast. It's a big,
- 18 heavy and powerful, capable off road vehicle.

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I

# TESTIMONY BY JOE BARDILL, THE GM AUTHORIZED MECHANIC FROM CORAL CADILLAC INC..

21	JOE BARDILL,			
22	called as a witness by the Defendant, having been			
23	first duly sworn by the Clerk, in answer to			
24	questions propounded, was examined and testified as			
25	follows:			
054	12			
1	THE WITNESS: I do.			
2	THE COURT: Okay. Have a seat. Do you			
3	mind just telling the jury your name?			
4	THE WITNESS: I'm Joe Bardill.			
5	THE COURT: Okay. And how do you spell			
6	your last name, sir?			
7	THE WITNESS: B-a-r-d-i-l-l.			
8	THE COURT: Thanks a lot. Okay.			
9	DIRECT EXAMINATION			
10	BY MR. KLEIN:			
11	Q Morning, Mr. Bardill.			
12	A Morning.			
13	Q Could you please tell the jury where			
14	you're currently employed?			
15	A Coral Cadillac.			
16	Q And what is your title at Coral Cadillac?			
17	A I'm the service manager.			
18	Q Can you tell the jury how long you've been			
19	at Coral Cadillac?			
20	A I've been there 28 years, 15 as a			
21	technician, 10 as a shop foreman, and since 2006			
22	I've been the service manager.			
23	Q All right. Mr. Bardill, for me back here			
24	it's a little you're a little soft spoken. Just			
25	speak up some.			
054	13			
1	A Okay.			
2	THE COURT: What you need to do is point			
3	the microphone right at you because it's a			
4	directional microphone. There you go.			

- BY MR. KLEIN: Q So you've been the service manager for 6 Carl Cadillac since 2006? 8 Α Yes. 9 Q Can you describe for the jury your 10 automotive training and experience? A I'm an ASE master technician. I've got 11 12 over 400 -- I believe 438 GM courses that I 13 completed. And that's pretty much it. 14 What is ASE? 15 ASE is the National Institute for A 16 Automotive Service Excellence. It was a nonprofit 17 organization. It started in 1972 basically because 18 there was no yard stick to measure competent 19 technicians versus incompetent. It's become very 20 large. 21 It's required in Broward and Dade County. 22 To have a technician's license you're required to 23 have your ASE. It's also required in GM training 24 for your training path to have the ASE 25 certification. 0544 1 And what does it mean to have the ASE master certification? 3 That means you have all eight. 4 Q All eight --All eight categories. There's 5 approximately 4,000 automobile masters in the United 7 States. 8 Q And --I'm sorry, 400,000. I'm sorry. 9 10 Q And ASE has certain categories they will 11 certify you in individually? 12 Α Yes. 13 Q To have your master's you have to have all 14 eight categories? 15 Yes. I also carried the L1 for 10 years,
- 18 Q Now, as the service manager for Coral

it currently.

16 which is advanced engine performance. I don't carry

- 19 Cadillac, are you familiar with the repair work and
- 20 service orders that have been done with Mr. Kodsy's
- 21 2008 Hummer?
- 22 A Yes, sir.
- 23 Q I'm going to show you what's already in
- 24 evidence as Plaintiff's Exhibit 2.
- 25 Mr. Bardill, Exhibit 2 are the repair

- 1 orders that have been admitted in evidence already.
- 2 Several of them are from Coral Cadillac.
- When did Mr. Kodsy first bring the vehicle
- 4 to Coral Cadillac?
- 5 A I believe this is the first -- the first
- 6 repair attempt, first time in for a repair and
- 7 service.
- 8 O And that is what date?
- 9 A It's October 20th.
- 10 O 2008?
- 11 A 2008, yes.
- 12 Q And what were Mr. Kodsy's complaints at
- 13 that time?
- 14 A The vehicle would not stay running.
- 15 Q And what did the dealership do for that
- 16 complaint?
- 17 A We replaced a mass air flow sensor.
- 18 Q Can you explain to the jury what the mass
- 19 flow air sensor is?
- 20 A The mass air flow sensor meters the air
- 21 that comes into the engine, and that's pretty much
- 22 how the computer knows how much fuel to add. It's a
- 23 speed density system. But basically what it's doing
- 24 is it's telling the computer how much fuel to add.
- 25 Q And did you do anything else in addition 0546
- 1 to replacing the mass air flow sensor for that --
- 2 A Yes, I think we did a -- there was
- 3 actually a service inventory update for the
- 4 transmission control module reprogram. That was for
- 5 a -- I believe a down shift. It was strictly
- 6 customer satisfaction bulletin.

And then I believe he added on a couple 8 lines of a CD player was in-op. We did replace the radio. And rusting, I believe this line was also 10 added, rust on the suspension parts, which we painted with 415. 11 12 Q And what is 415? 13 A It's a rust inhibitor. Basically the 14 thing with the Hummers, it's so high that people see 15 the under -- the chassis and underside. Down here 16 in this environment, every chassis gets some rust, 17 discoloration. But it actually was a PI that Terry 18 Nicholson -- we worked on with and he came up with 19 the 415 to paint the suspension parts with that. 20 Q What is a PI? 21 It's a preliminary -- it's before it Α becomes a bulletin. It's preliminary, but it hasn't gone through legal. Sometimes they never go through 24 legal because it's not that important or they find another route that they want to go. So, this one 0547 never became a service bulletin. 2 Q And so it's to assist dealerships if the customer has a particular concern? 3 A It's a preliminary -- like a preliminary 4 bulletin that General Motors makes available to us, but it never becomes -- don't get me wrong, sometimes they do become a bulletin, but then it loses the PI number and it becomes a bulletin 9 number. 10 And -- but with regard to the concern about the engine not staying running, did you also 11 12 reprogram the engine control module? Yes, we did. There apparently was an 13 updated program for it, that's why that was done. 14 15 O In addition, you mentioned he came back 16 and some things were added? 17 A Yes. 18 Q One of them is the seat heater, is that 19 right?

Yes, also the seat heater. We found

20

Α

- 21 nothing wrong with that. And there was some door
- 22 dings that were repaired at no charge.
- 23 Q The door dings that were repaired, was
- 24 that due to defects in GM's workmanship?
- 25 A No. I don't know -- I don't know if it 0548
- 1 was done for -- obviously it was done for customer
- 2 satisfaction. I don't know if they were claimed to
- 3 have been dinged on our lot or what, but I don't
- 4 know the specifics there.
- 5 Q But Mr. Kodsy wasn't charged for the 6 dings?
- 7 A No.
- 8 Q Now, were you actually personally involved
- 9 with the vehicle the first time it came in?
- 10 A No, I was not.
- 11 Q Did you personally become involved with
- 12 Mr. Kodsy's vehicle?
- 13 A I believe it was the next time -- yes.
- 14 Q And the next time it came in was --
- 15 A The next time it came in would be, yes,
- 16 the brake squeal. That was November 5th, 2008.
- 17 Q And that's page six of Exhibit 2?
- 18 A Yes.
- 19 Q And what did you find with regard to the
- 20 brake squeal?
- 21 A The brake squeal, there was a bulletin.
- 22 We special ordered a new design pad that they had
- 23 come out with.
- Q Was the pad available at that time?
- 25 A It was not.

- 1 Q So, Mr. Kodsy would have to come back to
- 2 have the pads installed?
- 3 A That's true.
- 4 Q What else did you find with the vehicle?
- 5 A Well, I road tested -- at this time I had
- 6 spent about probably 45 minutes with Mr. Kodsy. We
- 7 took the vehicle up on 95. He was complaining -- he
- 8 claimed the vehicle was missing. It was not

- 9 missing. There was a vibration in the steering
- 10 wheel that was basically engine firing impulses.
- All combustion engine's have a firing
- 12 frequency and what -- that's why we have motor
- 13 mounts and that to try and lessen that frequency
- 14 coming into the vehicle, and that's what I felt and
- 15 I felt that we could improve upon.
- 16 I felt nothing on the highway as far as
- 17 vibration. And that's why we did put the dampeners
- 18 on the exhaust system.
- 19 Q Before you put the dampeners on the
- 20 exhaust system, how did the vibration feel? Did it
- 21 feel substantial at all?
- 22 A It felt -- it felt different than a 2007
- 23 H2. And this is where I got egg on my face because
- 24 this is the first time I got involved with the
- 25 customer with a 2008. I went for a road test with 0550
- 1 him and I totally forgot that we replaced the six
- 2 liter engine with a 6.2 in 2008.
- 3 Q And why would that make a difference
- 4 between a six liter and the 6.2?
- 5 A Well, the 6.2 has 20 percent more
- 6 horsepower. That's about 70 more horsepower in that
- 7 engine than there was in the six liter. It was in
- 8 the Escalade, and had I been driving an Escalade I
- 9 would have said, this is normal, they all idle like
- 10 this. But because I was in a Hummer H2, it just
- 11 didn't click that this is a 2008 and not a 2007.
- 12 Q But even what you felt when you rode in
- 13 Mr. Kodsy's before the dampeners were put on, would
- 14 you feel that that was a defect or something
- 15 substantial?
- 16 A No, not a defect. Just as I told him, we
- 17 were sitting at the railroad tracks on Dixie and
- 18 48th Street and I said -- I explained to him what it
- 19 was because he kept insisting that it was a misfire.
- 20 I said, I can improve upon this, I'll never make it
- 21 all go away, but I can improve on it.
- 22 Q And you couldn't make it go away why?

- 23 A Because it's normal basically. We're
- 24 trying to improve upon a normal concern.
- Q How did you improve upon the concern?
- 1 A Well, we're trying to isolate the firing
- 2 frequency from getting into the vehicle, and I felt
- 3 that the exhaust system was getting excited from the
- 4 frequency. It's basically like a guitar string,
- 5 when you strum a guitar string. By putting the --
- 6 basically lead on the exhaust system, it's like
- 7 putting your finger on a guitar string and it
- 8 deadens the vibration or the -- you know, basically
- 9 the excitement of that exhaust system.
- 10 Q How much weight did the weights weigh?
- 11 A They're three pounds. I believe we used
- 12 two.
- 13 Q And --
- 14 A Actually, yes, there's two billed out on
- 15 the ticket. So, we used two.
- 16 Q Sorry, I thought you were still looking at
- 17 the document.
- Now, on that same repair order from
- 19 November 5th, Mr. Kodsy also had a concern about the
- 20 transmission shifting, is that correct?
- 21 A Yes. And I did feel that on the road
- 22 test. When we were merging into traffic we were --
- 23 we were in, say, sixth gear and I hit the throttle
- 24 quite hard and the engine flared and it didn't down
- 25 shift. So, we got technical assistance involved in 0552
- 1 that repair and we put a valve body and a TCM in the
- 2 vehicle.
- 3 Q And a TCM is what?
- 4 A The transmission control module.
- 5 Q Can you explain to the jury what technical
- 6 assistance is?
- 7 A That's -- basically it's -- they're out of
- 8 Detroit. They're engineers who we call when we need
- 9 help fixing a vehicle.
- 10 Q And they're GM engineers?

- 11 A GM engineers.
- 12 Q Is that common for a dealership to contact
- 13 technical assistance if they have questions?
- 14 A Well, it basically -- if there's not a
- 15 written document and service information that is
- 16 going to assist you like a bulletin or just the
- 17 service manual itself and you get to a point where
- 18 you really don't know what to do, that's when we
- 19 call them.
- 20 Q And what date and time was the vehicle
- 21 ready for Mr. Kodsy to pick up?
- 22 A I believe on this particular repair he
- 23 left and came right back and we opened his ticket
- 24 back up. So, let me see. This doesn't have time
- 25 stamps on it.

- 1 Q Mr. Bardill, on page eight -- actually, I
- 2 guess, we should go to the first page of the
- 3 invoice. That would be page -- page six of Exhibit
- 4 2.
- 5 At the top where it says ready, does it
- 6 have a date and time?
- 7 A Yeah, that was November 12.
- 8 Q At what time?
- 9 A 2:46.
- 10 Q P.m.?
- 11 A Yes.
- 12 Q And then the next repair order begins on
- 13 page 10 of Exhibit 2, is that correct?
- 14 A Oh, yes, yes. Okay. That's right.
- 15 Q And what time was that repair order
- 16 opened?
- 17 A That was opened at 5:08.
- 18 Q On November 12th?
- 19 A On November 12th, yes.
- 20 Q So, Mr. Kodsy came back. What did you
- 21 decide to do then?
- 22 A Well, he was very upset. I may or may not
- 23 have gone on the road test with him. I don't
- 24 believe I did. I do believe I sat in the vehicle

- 25 with him and we had a buzz through the IPC. 0554 1 Q I'm sorry, what's the IPC? 2 That's the instrument panel. The dash basically. 3 4 Q Okay. 5 And, you know, it's pretty common. What happens is a line might be too close to something, 7 whether it be the fire wall, the fender, something, and it will touch it and that -- it will make a buzzing noise that comes in through the IPC. It was pretty much a nothing repair other than finding the 11 source of the buzz. 12 And just relocating the line? Q 13 And just relocating the line. 14 What did you do after that? Q. 15 He was also at that time complaining of it 16 running rough over 50. We found nothing wrong with that. Oh, we did -- actually, yeah, at that point I contacted Bob Martin because he was still -- he was still complaining that it was idling rough. 20 Bob Martin is the brand quality manager, 21 or was the brand quality manager for the H2 at the 22 time, and he told us to go ahead and disconnect the engine from the transmission and see if the 24 vibration was still there, which we did. The 25 vibration was still there. 0555 1 I spoke to Bob again and that's when I had the egg on my face. He's like, Joe, you got to remember, this is a 6.2 liter engine in there, there's some trade off for that horsepower. And at 5 that point I was like, yeah. 6 We happened to have another 2008 that was sitting right next to Mr. Kodsy's in the parking lot. Myself and my foreman got in both vehicles and 8 9 they both idled identically.
- 10 Q That's another 2008 Hummer H2?
- 11 A Yes.
- 12 Q And with regard to Mr. Kodsy's concern

that the vehicle rides rough at all speeds over 50, did you find any problems? 14 A I never duplicated that, no. 15 And does the repair order note it's a 16 17 normal characteristic of the truck? Just it says no fault found. Oh, yes, it 18 19 does actually. Could not duplicate condition, at 20 this time normal characteristic operation of truck compared to another H2 same condition. 21 Q And I'm going to direct your attention to 22 the next repair order. Mr. Kodsy said the 23 24 transmission still kicks on acceleration after 25 coasting, is that right? 0556 1 Α Correct. What did you all do there? 2 Q We reprogrammed the ECM, which is the 3 engine control module. There was another calibration in there and we found that we needed to 5 6 match that to the transmission control module when we update the transmission control module. 7 So, it's a continuation of the previous 8 9 replacement? Yes. Α 10 What about Mr. Kodsy's last concern on the 11 repair order about the noise in the dash area at highway speeds? What did you all find? 13 That was A-pillar moldings. They're 14 plastic moldings on the outside of the windshield. 15 They're double side taped to the windshield. Air 16 gets underneath there, loosens up the tape and they 17 vibrate on the windshield. It's a pretty -- pretty 18 common problem. Minor problem, but very common. 19 And so you went ahead and replaced those 20 moldings, is that right? 21 A Yes, we did replace them. The one on 22 his -- usually we just put double sided tape on, but 23

we actually replaced the left side on his.

25 0557 In Exhibit 2 there's some invoices from